

## **Crown Pastoral Land Tenure Review**

**Lease name : DOUBLE HILL**

**Lease number : PC 127**

### **Due Diligence Report (including Status Report) - Part 2**

This report and attachments results from a pre-Tenure Review assessment of the pastoral lease for the purpose of confirming land available for Tenure Review and any issues, rights or obligations attaching to it. The information is gathered from files and other sources available to the LINZ contractor.

Part of the information relates to research on the status of the land, resulting in a Status Report that is signed off by a LINZ approving officer. The remainder of the information is not analysed for relevancy or possible action until required, and LINZ does not guarantee its accuracy or completeness as presented.

The report attached is released under the Official Information Act 1982.

**October**

**05**

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16 August 1996

Mr John Coffey  
Works Property Management  
PO Box 1482  
**CHRISTCHURCH**

Dear John

**TELECOM UPGRADE OF THE SERVICE TO RAKAIA GORGE**

Please accept our apologies for the delay in responding to your request. Caroline Mason is on maternity leave and I have been asked to respond to your letter of 22 January 1996. In view of the delay it seemed prudent to ascertain whether the works had in fact already proceeded, hence my call to you today. I understand from our telephone discussion that Telecom may have completed the work, please confirm that this is the case.

The installation of transmitters and underground telephone cables on pastoral land is regarded by the Commissioner of Crown Lands as non-pastoral activity. The Commissioner's agreement is required for such works by way of an easement over the pastoral lease. The lessee under a pastoral lease has "*...exclusive right of pasturage over the land ...but...no right to the soil*" and therefore cannot grant an easement.

The Commissioner has specific requirements for easements over pastoral leases and has developed standard documentation which embodies these requirements. It will greatly facilitate the preparation of easements for the installations on the Rakaia gorge pastoral leases if Telecom uses the Commissioner's standard easement documentation. I enclose both a hard copy and a disc copy for your use. Some minor modifications may be required (a possible example is Clause 5, paragraph 2).

In order to obtain the consent of the Commissioner of Crown Lands to the granting of an easement over pastoral land, a formal application is required. Please direct your applications to Knight Frank (NZ) Ltd, together with an application fee of \$100.

An application for an easement should include:

1. survey description/plan
2. purpose

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1. survey description/plan
2. purpose

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3. details of agreements with lessee
4. details of agreements with other parties (if any) for example: other users, local bodies etc.
5. A commitment to meet the costs associated with the application, these costs will include any legal fees incurred by Knight Frank (NZ) Ltd in the consideration of easement documentation.

In the preparation of its submission to the Commissioner, Knight Frank (NZ) Ltd will consult with the Department of Conservation on any impacts the proposal may have on conservation values.

When preparing the easement documentation please take account of other applications on behalf of Telecom for easements over pastoral leases, namely:

- Telecom installation on The Hossack
- Telecommunications site on Mt Alford pastoral lease
- Telecommunications site on The Poplars pastoral lease
- Fibre-optic cable over Rainbow Station

Clearly, a consistent use of the Commissioner's standard easement documentation will help to minimise the time and costs associated with all of these applications.

If you wish to discuss any aspect of proposed easements please contact me.

Yours faithfully

**KNIGHT FRANK (NZ) LIMITED**



**ROGER S LOUGH**



**LANDCORP**  
LANDCORP PROPERTY LIMITED

(41)  
CHRISTCHURCH OFFICE  
76 CASHEL STREET  
PO BOX 142  
CHRISTCHURCH, NZ  
PHONE 0-3-379 9787  
FAX 0-3-379 8440

## Memo

TO: JOHN COLLET
DOSLI
CHCH

FROM: S. SAMFORD
OUR REF: P57
YOUR REF:
DATE: 25/8/93

RE: SURVEY OF DOUBLE HILL POL BOUNDARY

I have discussed the proposal provided by you with the lessee of Double Hill. He is quite relaxed about the proposal to use contour boundaries for the total length.

In order to obtain the best possible fit to the present POL boundary and considering the longer term aims of the Crown to separate conservation land and productive land we believe the contour boundary to be the most appropriate. Could you please continue the job on this basis as discussed.

When you have obtained final confirmation that the proposal is satisfactory in survey terms could you please provide a marked up topo showing the existing POL boundary and the proposed boundary so I can obtain the lessee's signature on it as it is a give and take boundary.

If you have any further queries please do not hesitate to contact me.

SIGN

DESIGNATION:

Pm.

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19 August 1993

DOUBLE HILL RUN. POSSIBLE SURRENDER BOUNDARY:

From spot height 1901m on Palmer Range, (west bdy of Run) follow top of range for approx 11km to spot height 1691m.

Then continue along main watershed ridge for another km and drop down prominent spur into Petticoat Lane (Nth Ashburton Rvr)

Down Petticoat Lane for about 300m then up leading spur on side of Round Hill to 1300m contour.

Follow 1300m contour until it meets Round Hill Creek, up Round Hill Creek to 1500m contour.

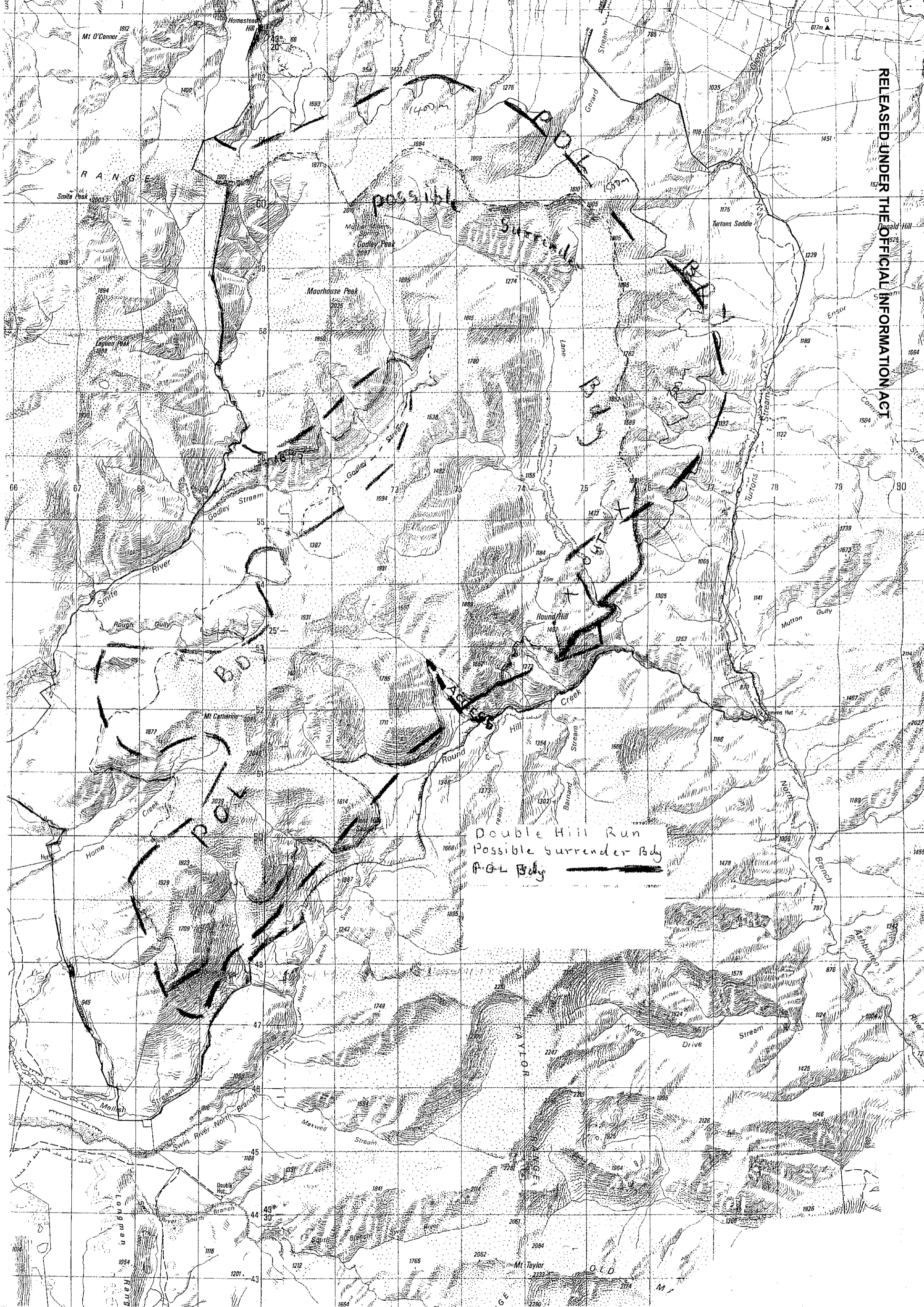
Follow 1500m contour above Clent Hills Saddle, the headwaters of Home Creek and Rough Gully to leading spur on south side of confluence of Godley Stm/Smite Rvr, down this spur to 1220m contour.

Follow 1220m contour up south east side of Godley Stm to basins at its head. Up east fork to 1400m contour.

Follow 1400m contour down north side of Godley Stm to spur with 1379m spot height, down this spur to Smite Rvr, skirting around south side of large slip to the left bank of Smite River.

(As per original discussions).

Boundary (above Homestead Hill) 1400 m contour to Gerard Stream. A 1500 m contour to creek between Point Heights 1805 and 1836. A 1300 m contour then to leading ridge into Petticoat Lane.



Double Hill Run  
Possible surrender body  
A-G-L Body



**LANDCORP**  
LANDCORP PROPERTY LIMITED

**Memo**

TO: NOTE FOR FILE

FROM: J. SANFORD
OUR REF: 7127, 036
YOUR REF:
DATE: 26/10/93

RE: REDEFINITION OF BOUNDARY BETWEEN PASTORAL  
LEASE AND EXPIRED P.D.L.

Received plan showing proposed boundary  
redefinition signed by Ben Hutchison on  
26/10/93.

Advised DOSLI by phone that boundaries  
are acceptable & lessee can survey work  
can be undertaken.

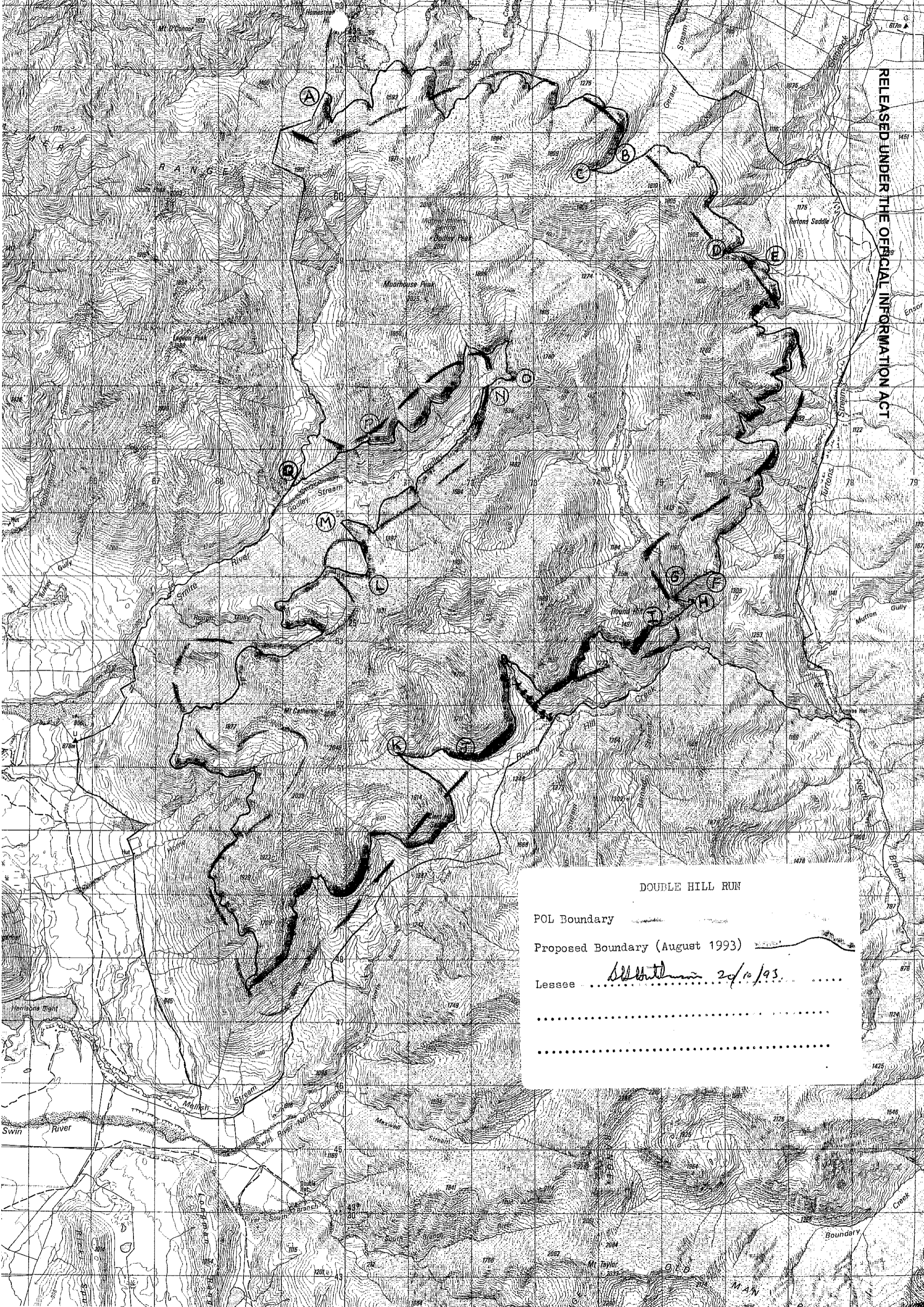
JS







DOUBLE HILL RUN: SURRENDER OF POL  
PROPOSED BOUNDARIES OF AUGUST 1993.

- A - B From boundary above Homestead Hill; follow 1400m contour to Gerard Stream.
- B - C Up right bank of Gerard Stream to 1500m contour.
- C - D Follow 1500m contour to unnamed stream SW of Turtons Saddle.
- D - E Down left bank of this stream to 1300m contour.
- E - F Follow 1300m contour to main ridge, the watershed between Turtons Stream and Petticoat Lane.
- F - G Down this ridge to stream in Petticoat Lane (Nth Branch Ashburton Rvr)
- G - H Down right bank of Petticoat Lane to leading spur on east flank of Round Hill.
- H - I Up the leading spur to 1300m contour.
- I - J Follow 1300m contour until it meets the left bank of Round Hill Creek.
- J - K Up the left bank of Round Hill Creek to 1500m contour.
- K - L Follow 1500m contour above Client Hills Saddle, the headwaters of Home Creek and Rough Gully to leading spur on south side of confluence of Godley Stream/Smite River.
- L - M Down this spur to 1220m contour.
- M - N Follow 1220m contour up SE side of Godley valley to the eastern headwaters stream.
- N - O Up the left bank of the eastern headwaters stream to the 1400m contour.
- O - P Follow the 1400m contour down the north side of Godley valley until it reaches the top of the leading ridge overlooking the Smite River.
- P - Q Down this ridge to the top of the large slip on the left bank of the Smite River. Around the top of this large slip to its southern point on the left bank of the Smite River.



DOUBLE HILL RUN

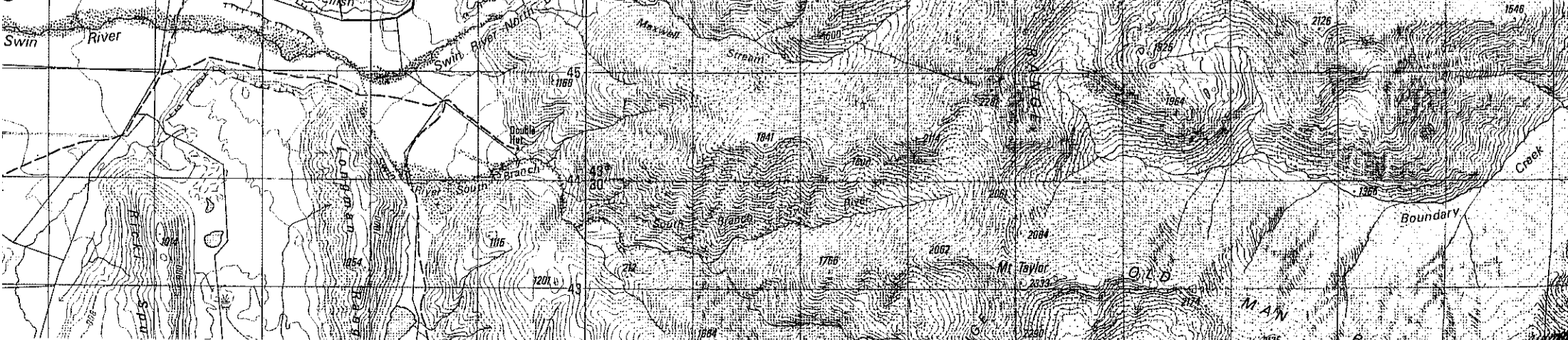
POL Boundary 

Proposed Boundary (August 1993) 

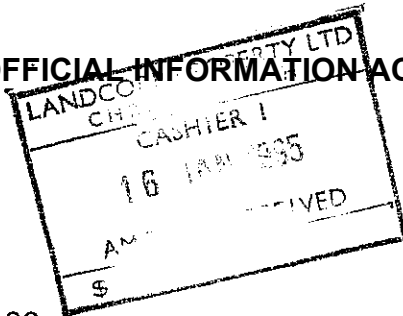
Lessee *Shelburne 20/10/93* .....

.....

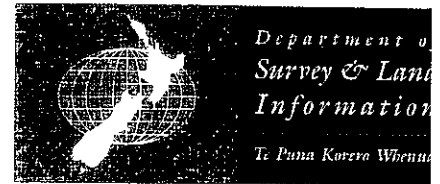
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Your Reference:

Our Reference: 6275-07-07-03

For verbal enquiries please ask for: Mr Brown

State Insurance Building  
116 Worcester Street  
Private Bag 4721  
DX 16104  
Christchurch  
Phone (03) 379-9793  
Fax (03) 366-6422

13 January 1995

The Manager  
Landcorp Property Ltd  
PO Box 142  
**CHRISTCHURCH**

**ATTENTION** : Simon Bamford

Dear Sir

**TRANSFER OF DOUBLE HILL POL: RUN 334A**

Please find enclosed a print of the re-defined Double Hill POL. This is for your signature on behalf of Landcorp, acting as Agent for the Commissioner of Crown Lands.

The signed print should be returned to me at this Office.

Yours faithfully

**Derek Brown**  
**Senior Surveyor**

*John Callitt*  
Encl

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**Appendix 4 : Copy of Land Improvement Agreement no. 835180 and Variation**

35189

X

Revision - 14/10/1984 at 9.00  
Lynn  
DA

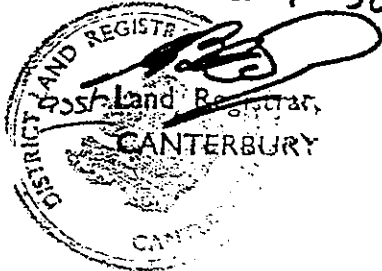
AND IMPROVEMENT  
AGREEMENT.

re entered in Register-Book.

43 folio 81, 9K/1409, 9K/1410.

JN 1971 21K/467

at 9.30 am



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HIS AGREEMENT made the *ninth* day of *June* 1971

BETWEEN the South Canterbury Catchment Board duly constituted under the Soil Conservation and Rivers Control Act 1941 (hereinafter called "the Board") of the one part and DOUBLE HILL STATION LTD of Rakaia Gorge (hereinafter with his executors, administrators and assigns called "the Owner") of the other part

WHEREAS the Owner is the owner/lessee of that parcel of land described in the First Schedule hereto (hereinafter referred to as "the said land").

AND WHEREAS it has been agreed by and between the Owner and the Board that certain works described in the Conservation Plan set out in the Second Schedule hereto (hereinafter called "the works") be carried out for the control of erosion and the conservation of the soil on the said land and also to facilitate greater production on the said land AND WHEREAS the Board has agreed pursuant to Section 30 of the Soil Conservation and Rivers Control Act 1941 to make certain grants by way of subsidy to the Owner in respect of the works

AND WHEREAS the parties hereto desire to enter into a Land Improvement Agreement under subsection (3) of Section 30 and under Section 30A of the Soil Conservation and Rivers Control Act 1941

AND WHEREAS the terms of this agreement as hereinafter set out have been approved by the Soil Conservation and Rivers Control Council

NOW THEREFORE the parties hereto do hereby covenant and agree one with the other as follows:

1. IN consideration of the premises and of the covenants hereinafter contained and on the part of the Board to be observed and performed the owner will during the next five years carry out the works in accordance with the Conservation Plan and the Specifications described therein.

2. IN consideration of the premises and of the covenants hereinafter contained and on the part of the Owner to be observed and performed the Board will at its own expense subsidise the work carried out by the Owner in accordance with the Conservation Plan set out in the Second Schedule hereto and according to the Specifications therein in the proportions described in the aforementioned Conservation Plan.

3. UPON completion of any item of work referred to in the Second Schedule to the satisfaction of the Board the Board shall pay to the Owner the subsidy shown therein as payable in respect of that item.

4. THE Owner shall keep and maintain in good condition to the satisfaction of the Board the works and the areas affected by the Conservation Plan, ~~for the term of this agreement which shall be~~

*W.P.*

9.00  
17

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5. THE Owner shall when required supply all necessary information and data to the Board to enable it to compile grazing and production records of the said land as a means of evaluating the benefit derived from the Conservation Plan.

6. IT is agreed by the parties hereto that the Conservation Plan may be modified from time to time by agreement in writing between the parties.

7. THE Owner shall and will grant full power and authority to the Board, its Soil Conservators, Surveyors, Engineers, Employees, Workmen, Agents, Servants and Invitees with or without horses, carts, motor cars, trucks and other vehicles from time to time and at all times during the period of this Agreement to enter and remain upon such portions of the said land as may be necessary for the purpose of inspecting the progress and observing the results of the works and measures specified in the Conservation Plan or of carrying out any tests, surveys, bores or other works in connection with the Conservation Plan.

8. IF the Owner shall make default in the observance or performance of any covenant on his part hereinbefore contained and such default shall continue for a period of fourteen days after written notice thereof has been served on the Owner by the Board setting out the nature of such default and requiring the Owner to remedy the same then the Owner shall within seven days of demand being made on him by the Board pay to the Board the amount expended by the Board on the works up to the date of such default and such amount shall be recoverable by the Board in accordance with the provisions of Section 30A of the Soil Conservation and Rivers Control Act 1941.

9. IT is hereby agreed by and between the parties that this Agreement is a Land Improvement Agreement under subsection (3) of Section 30 of the Soil Conservation and Rivers Control Act 1941 and that all the provisions of Section 30A of that Act shall apply to this Agreement.

*ALB.*

*ALB.*  
*J. H. H.*

THE SECOND SCHEDULE

<u>Part I</u>	<u>Est. Cost</u>	<u>Subsidy Rate</u>
247 chains windbreak planting	4,199	1:1
745 chains internal cattleproofing	3,725	2:3
140 chains boundary cattleproofing	700	2:3
570 chains conservation fence	9,690	2:3
220 chains fencing under grant	4,990	total cost
Soil conservation fee 8%	1,463	various
	<u>\$24,767</u>	

\* Subsidy payout is less conservation fee to be made up to 5% only by the farmer (total above subsidised)

THE SECOND SCHEDULE

Part II

Conservation practices to follow "the work" include modifications in management as outlined in the farm conservation plan.

Major modifications are outlined briefly as follows:-

- (a) Block J2 containing 1,975 acres more or less, on completion of the fence under grant, 220 chains, shall be retired from sheep grazing. Some cattle may in future with the permission of the Board and Commissioner of Crown Lands be grazed in the lower margins.
- (b) Blocks J1 and J2 will each be spelled for half the growing season, and blocks I1, I2, I3, I4, G1, G2 and G3 will be spelled for portion of the growing season when fenced.
- (c) Cattle numbers will be increased to a minimum of 1,000 head in five years. They will be used to more fully utilise growth, thus reducing the need for burning.

*(W. Kelly)*  
*Sty.*  
*7/8/47*



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IN WITNESS whereof these presents have been executed on the day and year first before written.

I, Double Hill Station Ltd, the Owner herein do hereby bind myself and my successors in title to perform and observe the terms and conditions of this agreement.

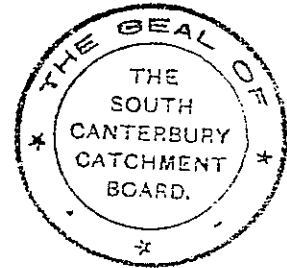
SIGNED by the said )  
Double Hill Station Ltd )  
as Owner in the presence of : )

R. Cluser

W. P. Richards

David Conroy

THE COMMON SEAL OF  
The South Canterbury Catchment Board  
was hereunto affixed  
in pursuance of a resolution  
of the Board in the presence of:



S. Taylor } Members of  
the Board

F. G. Howe Secretary

I, Francis George HOWE of Timaru, Secretary to the South Canterbury Catchment Board DO HEREBY CERTIFY that the within written Agreement is one that is capable of registration and I do hereby apply for the registration of the said Agreement against the land above described in accordance with the provisions of Section 30A of the Soil Conservation and Rivers Control Act 1941.

F. G. Howe  
Secretary

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THIS AGREEMENT made on the 3rd day of October 1984

BETWEEN the South Canterbury Catchment Board, duly constituted under the Soil Conservation and Rivers Control Act 1941, of the one part and Double Hill Station Ltd of Rakaia Gorge of the other part.

WHEREAS the parties have entered into a Land Improvement Agreement No 835180 AND WHEREAS it has been agreed by and between the Owner and the Board that certain additional works be carried out for the control of erosion and conservation of the soil

AND WHEREAS the parties hereto have agreed to modify the said Land Improvement Agreement on the terms hereinafter appearing.

NOW THEREFORE the parties hereto do hereby covenant and agree with one another as follows:

WHEREAS the said Land Improvement Agreement contemplated various works to be done and such works as have been completed are detailed in Part I of the Second Schedule hereto as are works contemplated by the said Agreement but which have yet to be completed.

THE SECOND SCHEDULE

PART I

A. COMPLETED WORK

	<u>Actual</u> <u>Total Cost</u>	<u>Subsidy</u> <u>Rate</u>	<u>Grant</u>
28 ha Offsite cultivation )			
405 ha Initial OS & TD )			
405 ha First maintenance TD )			
263 ha Second maintenance TD )			
2400 m Offsite fence )	\$38,667	Various	\$20,570
7936 m Internal cattle proofing )			
8031 m Boundary cattle proofing )			
3655 m Windbreaks )			

*W. P. C. B.*

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B. NEW WORKS APPROVED TO BE COMPLETED

	<u>Est. Total Cost</u>	<u>Grant Rate</u>
8000 m Erosion control fence @ \$3/m	\$30,000	60%
2650 m Windbreak planting @ \$4/m	<u>13,250</u>	
	\$43,250	
	=====	

MODIFICATION TO PART II

d) Delete

e) The two sunny blocks created on Double Hill Block both containing 160 ha each will be spelled from all stock grazing from 1 February till 1 May each year.

f) Windbreak Requirements

(I) Trees planted in windbreaks shall be protected from fire, herbicides and grazing by domestic stock.

(II) The trees shall not be topped or cut down without written consent from the Board, and where consent to cut down is given, the cost of replacing the trees shall be a first charge against revenue received by the owner from the sale of wood or from any assignment of the right or licence to fell and remove such trees.

(III) Land management and cultivation practices that enhance the soils resistance to wind erosion shall be undertaken.

B  
R.P.  
RLE

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IN WITNESS whereof these presents have been executed on the day and year first before written.

Double Hill Station Ltd, the Owner herein does hereby bind itself and its successors in title to perform and observe the terms and conditions of Agreement No 835180 as amended herein.

SIGNED by the said )  
Double Hill Station Ltd )  
as Owner in the presence )  
of: )

*P. Ensor*

Peter Charles Ensor  
Director

*ZG Reid*

*Doil Conservator*

THE COMMON SEAL of the SOUTH )  
CANTERBURY CATCHMENT BOARD was )  
hereunto affixed in pursuance of )  
a resolution of the Board in the )  
presence of: )

*William S. Pearce*  
Chairman ~~Member~~ of the Board

*Brian O'Sullivan*  
Secretary

I, Brian John O'Sullivan of Timaru, Secretary to the South Canterbury Catchment Board DO HEREBY CERTIFY that the within written Agreement is a variation of an existing Agreement and is one that

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is capable of registration and I do hereby apply for the registration of the said Agreement against the land described in Agreement No 835180 in accordance with the provisions of Section 30A of the soil Conservation and Rivers Control Act 1941.

*PCB*

*10/1/71*

*Brian O'Sullivan*

Secretary

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**Appendix 5 : Copy of Land Status Report**

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Project Number G 006-53SR-006YC

This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50176 dated 23 September 1999 and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Double Hill Station				LIPS Ref 12779
Propert	1	of	2	

Land District	Canterbury
Legal Description	Run 334 Situated in Blocks VIII and XII Whitcombe, I, II, IV, V, VII, VIII and IX Glenrock, I, II, III, V, VI and IX Somers and IV and VIII Heron Survey Districts.
Area	7810.4328 hectares
Use	Crown land under the Land Act 1948.
Instrument of title / lease	All Pastoral Lease 9K/1410 pursuant to Section 66 and registered under Section 83 of the Land Act 1948.
Encumbrances	Subject to: <ol style="list-style-type: none"> <li>1. Compensation Certificate No. 316432 pursuant to Section 17 of the Public Works Amendment Act 1948.</li> <li>2. Land Improvement Agreement No.835180 under the provisions of the Soil Conservation and Rivers Control Act 1941.</li> <li>3. Variation of Land Improvement Agreement No. 835180.</li> <li>4. Part IVA of the Conservation Act 1987 upon disposition.</li> </ol>
General Ownership	Mines and minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition in 1848 for settlement purposes from the former Maori owners under Kemps Deed.
Statute	Land Act 1948 and Crown Pastoral Land Act 1998.

Data Correct as at	9 November 1999
[Certification Attached]	Yes

Prepared by	Don McGregor
Crown Accredited Agent	Opus International Consultants Ltd, CHRISTCHURCH

Notes : This information does not affect the status of the land but was identified as possibly requiring further investigation at the due diligence stage : See Crown Pastoral Standard 6 paragraph 6.

1. Pastoral Lease 9K/1410 contains a notation for Section 58 strips to be excluded from the lease along rivers and streams over 3 metres wide. **These strips, now deemed to be marginal strips under the Conservation Act 1987, are "notional" pending their definition upon disposition of the land.**
2. Unformed legal roads intersect parts of the property and for the most part do not conform to existing formed roads or tracks. **The opportunity should be taken, where appropriate, to transfer the unformed legal road to the Crown for incorporation into the lease in exchange for access along practical formed roads.**
3. Contrary to instructions Telecom has installed an underground cable across Double Hill to Glenfalloch, without authority. **This action will need to be formalised by way of Easement in conjunction with Tenure Review and the matter of compensation resolved with Telecom.**
4. An investigation needs to be undertaken to determine if compensation was ever settled under Compensation Certificate 316432. If not then, as the use for an emergency landing ground expired in 1959 and there has been a change of ownership, **it is unlikely a claim for compensation could be pursued whereupon the Comp. Cert. should be discharged.**
5. It is noted that a 10 year sublease was granted to Ministry of Works on behalf of MAF (expired on 1985) to use a 1 hectare man-made lake (disused hydro scheme) to rear salmon. Apparently MAF constructed a new lake double the size of the original one and the improvements have fallen into disrepair. Clause 11 of the lease required the land to be returned to its original state but this obligation was not fulfilled. **This potential contingent liability on the Crown will need to be investigated further and resolved.**

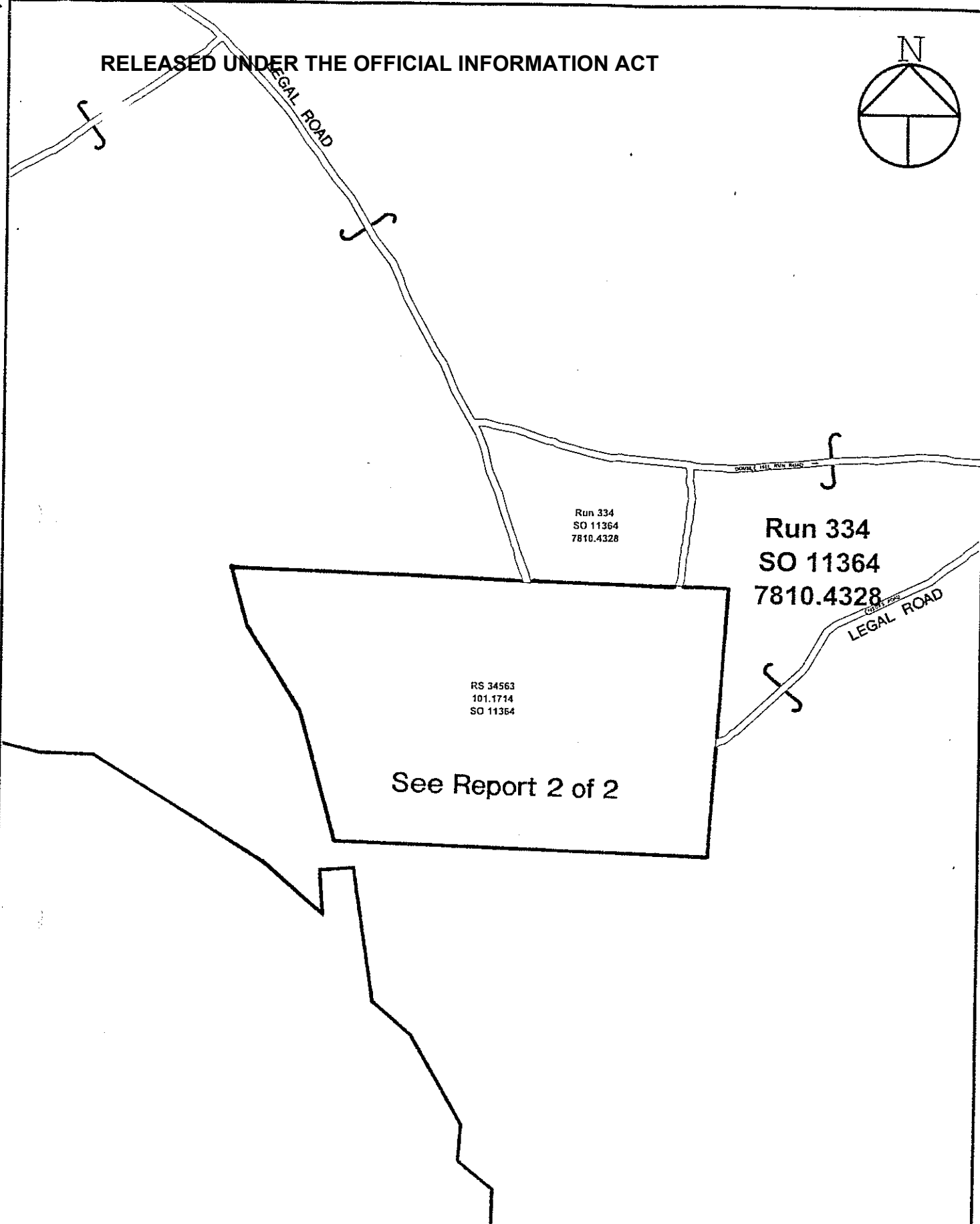
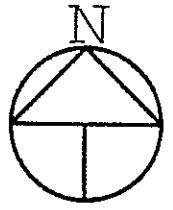


Research Data: Some Items may be not applicable

SDI Print Obtained	Yes
NZMS 261 Ref	J35/K35
Local Authority	Ashburton District Council
Crown Acquisition Map	Kemps Deed
SO Plan	<b>SO 11364</b> (approved 17/2/1970) – Plan of Runs 334 and Run 334A.
Relevant Gazette Notices	NA
CT Ref / Lease Ref	All Pastoral Lease 9K/1410 pursuant to Section 66 and registered under Section 83 of the Land Act 1948.
Legalisation Cards	NA
CLR	Confirms pastoral tenure.
Allocation Maps (if applicable)	No allocations to DOC or SOE. Extracts of SOE (SO 17061 and 17070) and DOC (SO 171123 and 17121) Allocation maps attached.
VNZ Ref - if known	VR 24390/00700
Crown Grant Maps	NA
<b>If Subject land Marginal Strip :</b>	
a) Type [Sec 24(9) or Sec 58]	a) See notes above
b) Date Created	b) NA
c) Plan Reference	c) NA

**Research – continued**

If Crown 1 – Check Irrigation Maps.	NA
Mining Maps	NA
<p><b>If Road</b></p> <p>a) <b>Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989</b></p> <p>b) <b>By Proc</b></p>	<p>a) SO Plan 11364. All roads abutting or intersecting Run 334 are legal by Section 110A of the Public Works Act 1928.</p> <p>b) Proc Plan</p> <p>NA</p> <p>c) Gazette Ref</p> <p>NA</p>
<p><b>Other Relevant Information</b></p> <p>a) Concessions – Advice from DOC or Knight Frank.</p> <p>b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998</p> <p>c) Mineral Ownership</p> <p>d) Other Info</p>	<p>a) No current DOC concessions in existence. DOC has indicated that areas are identified for surrender but that action is unlikely to be formalised in the short term. DOC has interests in Marginal Strips as yet undefined. Existence of concessions administered by Knight Frank not determined.</p> <p>b) Searched. NA</p> <p>c) Either</p> <p><input type="checkbox"/> Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kamps Deed</p> <p><input type="checkbox"/> Contained in [provide evidence]. NA..</p> <p>d) NA</p>

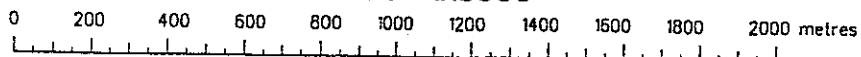


Marginal Strip Subject to Sec 24(9)  
Conservation Act 1987 - - - - -

Version	1	2	3	4	5
Canterbury Land District					Sheet 3 of 3
Topographic Map 260 - J35, K35					Date 1/10/99

### Double Hill Station

Scale 1:15000



Project Number G 002-53SR-006YC

This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50176 dated 23 September 1999 and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

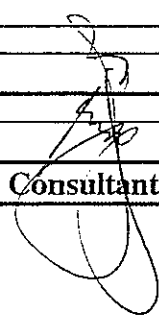
<b>LAND STATUS REPORT for Double Hill Station</b>		LIPS Ref 12779
Property	2	of 2

<b>Land District</b>	Canterbury
<b>Legal Description</b>	Rural Section 34563, situated in Block IV, Glenrock Survey District.
<b>Area</b>	101.1714 hectares
<b>Status</b>	Freehold
<b>Instrument of title / lease</b>	CT 24K/467
<b>Encumbrances</b>	<ol style="list-style-type: none"> <li>1. Land Improvement Agreement No. 835180 under the provisions of the Soil Conservation and Rivers Control Act 1941.</li> <li>2. Variation to Land Improvement Agreement No. 835180.</li> </ol>
<b>Mineral Ownership</b>	NA
<b>Statute</b>	NA

<b>Data Correct as at</b>	9 November 1999
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<b>Prepared by</b>	Don McGregor
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<b>Crown Accredited Agent</b>	Opus International Consultants Ltd, Christchurch
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**Research Data:** Some Items may be not applicable

SDI Print Obtained	No
NZMS 261 Ref	J35/K35
Local Authority	Ashburton District Council
Crown Acquisition Map	NA
SO Plan	SO 4103 - (1883) – Plan of 34563.  SO 11364 - (approved 17/02/1970). Plan of Runs 334 and 334A.
Relevant Gazette Notices	NA
CT Ref / Lease Ref	CT 24K/467
Legalisation Cards	NA
CLR	NA
Allocation Maps (if applicable)	NA
VNZ Ref - if known	Not known
Crown Grant Maps	NA
<b>If Subject land Marginal Strip :</b>	
a) Type [Sec 24(9) or Sec 58]	a) NA
b) Date Created	b) NA
c) Plan Reference	c) NA

**Research -- continued**

If Crown 1 - Check Irrigation Maps.	NA
Mining Maps	NA
<p><b>If Road</b></p> <p>a) <b>Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989</b></p> <p>b) <b>By Proc</b></p>	<p>a) SO Plan</p> <p>NA</p> <p>b) Proc Plan</p> <p>NA</p> <p>c) Gazette Ref</p>
<p>Other Relevant Information</p> <p>a) Concessions - Advice from DOC or Knight Frank.</p> <p>b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998</p> <p>c) Mineral Ownership</p> <p>d) Other Info</p>	<p>a) NA</p> <p>b) NA</p> <p>c) Either</p> <p><input type="checkbox"/> Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under <i>[enter Deed details]</i></p> <p>NA</p> <p><input type="checkbox"/> Contained in <i>[provide evidence]</i>.</p> <p>d)</p>

CERTIFICATION

Report to the Chief Surveyor, Christchurch, for a certification of a Status Investigation in respect to Double Hill Station.

1. Donald McGregor, Property Consultant, Opus International Consultants Ltd, certifies that the status report enclosed for certification is in order for signature.
2. In giving this certification, Donald McGregor, Property Consultant, Opus International Consultants Ltd, undertakes that the status report has been completed in compliance with all relevant policy instructions and in particular, OSG Standard 1999/05 and the Regulatory Chiefs' Land Status Investigations Guidelines 1999/01.



D McGregor  
Opus International Consultants Ltd  
13 October 1999

## **CONTENTS**

### **1. APPENDIX A – LAND STATUS REPORTS (and supporting plans)**

#### **Property 1 of 2 - Land Status Report**

- SO Plans (additional)
- Extract of CLR
- Extracts of Allocation Maps
- DOC Consultation
- Information supporting Notes to Report

#### **Property 2 of 2 Land Status Report**

### **APPENDIX B – LAND STATUS REPORT (Certified Correct by Chief Surveyor)**

- Property 1 of 2



RELEASED UNDER THE OFFICIAL INFORMATION ACT

**PROPERTY 1 OF 2**  
**Land Status Report**

RELEASED UNDER THE OFFICIAL INFORMATION ACT

**APPENDIX A – LAND STATUS REPORTS  
and supporting plans**

Project Number G 006-53SR-006YC

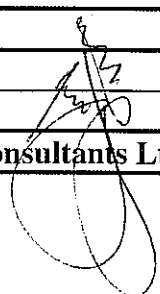
This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50176 dated 23 September 1999 and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

<b>LAND STATUS REPORT for Double Hill Station</b>			LIPS Ref 12779
Propert	1	of	2

<b>Land District</b>	Canterbury
<b>Legal Description</b>	Run 334 Situated in Blocks VIII and XII Whitcombe, I, II, IV, V, VII, VIII and IX Glenrock, I, II, III, V, VI and IX Somers and IV and VIII Heron Survey Districts.
<b>Area</b>	7810.4328 hectares
<b>Status</b>	Crown land under the Land Act 1948.
<b>Instrument of title / lease</b>	All Pastoral Lease 9K/1410 pursuant to Section 66 and registered under Section 83 of the Land Act 1948.
<b>Encumbrances</b>	Subject to: 1. Compensation Certificate No. 316432 pursuant to Section 17 of the Public Works Amendment Act 1948. 2. Land Improvement Agreement No.835180 under the provisions of the Soil Conservation and Rivers Control Act 1941. 3. Variation of Land Improvement Agreement No. 835180. 4. Part IVA of the Conservation Act 1987 upon disposition.
<b>Mineral Ownership</b>	Mines and minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition in 1848 for settlement purposes from the former Maori owners under Kemps Deed.
<b>Statute</b>	Land Act 1948 and Crown Pastoral Land Act 1998.

<b>Data Correct as at</b>	9 November 1999
<b>[Certification Attached]</b>	Yes

<b>Prepared by</b>	Don McGregor
<b>Crown Accredited Agent</b>	Opus International Consultants Ltd, CHRISTCHURCH



**Notes : This information does not affect the status of the land but was identified as possibly requiring further investigation at the due diligence stage : See Crown Pastoral Standard 6 paragraph 6.**

1. Pastoral Lease 9K/1410 contains a notation for Section 58 strips to be excluded from the lease along rivers and streams over 3 metres wide. **These strips, now deemed to be marginal strips under the Conservation Act 1987, are "notional" pending their definition upon disposition of the land.**
2. Unformed legal roads intersect parts of the property and for the most part do not conform to existing formed roads or tracks. **The opportunity should be taken, where appropriate, to transfer the unformed legal road to the Crown for incorporation into the lease in exchange for access along practical formed roads.**
3. Contrary to instructions Telecom has installed an underground cable across Double Hill to Glenfalloch, without authority. **This action will need to be formalised by way of Easement in conjunction with Tenure Review and the matter of compensation resolved with Telecom.**
4. An investigation needs to be undertaken to determine if compensation was ever settled under Compensation Certificate 316432. If not then, as the use for an emergency landing ground expired in 1959 and there has been a change of ownership, **it is unlikely a claim for compensation could be pursued whereupon the Comp. Cert. should be discharged.**
5. It is noted that a 10 year sublease was granted to Ministry of Works on behalf of MAF (expired on 1985) to use a 1 hectare man-made lake (disused hydro scheme) to rear salmon. Apparently MAF constructed a new lake double the size of the original one and the improvements have fallen into disrepair. Clause 11 of the lease required the land to be returned to its original state but this obligation was not fulfilled. **This potential contingent liability on the Crown will need to be investigated further and resolved.**

**Research Data:** *Some Items may be not applicable*

SDI Print Obtained	Yes
NZMS 261 Ref	J35/K35
Local Authority	Ashburton District Council
Crown Acquisition Map	Kemps Deed
SO Plan	<b>SO 11364</b> (approved 17/2/1970) – Plan of Runs 334 and Run 334A.
Relevant Gazette Notices	NA
CT Ref / Lease Ref	All Pastoral Lease 9K/1410 pursuant to Section 66 and registered under Section 83 of the Land Act 1948.
Legalisation Cards	NA
JLR	Confirms pastoral tenure.
Allocation Maps (if applicable)	No allocations to DOC or SOE. Extracts of SOE (SO 17061 and 17070) and DOC (SO 171123 and 17121) Allocation maps attached.
VNZ Ref - if known	VR 24390/00700
Crown Grant Maps	NA
<b>If Subject land Marginal Strip :</b>	
<b>a) Type [Sec 24(9) or Sec 58]</b>	a) See notes above
<b>b) Date Created</b>	b) NA
<b>c) Plan Reference</b>	c) NA

**Research – continued**

If Crown land – Check Irrigation Maps.	NA
Mining Maps	NA
<b>If Road</b> <b>a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989</b>  <b>b) By Proc</b>	a) SO Plan 11364. All roads abutting or intersecting Run 334 are legal by Section 110A of the Public Works Act 1928.  b) Proc Plan  NA  c) Gazette Ref  NA
<b>Other Relevant Information</b> <b>a) Concessions – Advice from DOC or Knight Frank.</b>  <b>b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998</b>  <b>c) Mineral Ownership</b>   <b>d) Other Info</b>	a) No current DOC concessions in existence. DOC has indicated that areas are identified for surrender but that action is unlikely to be formalised in the short term. DOC has interests in Marginal Strips as yet undefined. Existence of concessions administered by Knight Frank not determined.  b) Searched. NA  c) Either  <input type="checkbox"/> Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemps Deed  <input type="checkbox"/> Contained in [provide evidence]. NA..  d) NA